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Southern District of New York*

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**FORMER NYPD OFFICER PLEADS GUILTY
TO FEDERAL CIVIL RIGHTS VIOLATIONS**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, announced that CRAIG G. YOKEMICK, a former New York City Police Officer, pled guilty late Friday in Manhattan federal court before Magistrate Judge MICHAEL H. DOLINGER to two felony charges of violating the civil rights of Kenneth Banks, who died as a result of head injuries he sustained during the course of an arrest on October 29, 1998.

According to Count One of the Indictment, returned on October 28, 2003, YOKEMICK threw a police radio at Mr. Banks, resulting in the injuries, and thereby deprived Mr. Banks of his constitutional right to be secure in his person and free from the use of unreasonable force by one acting under color of law. Count Two of the Indictment also charged that YOKEMICK acted with deliberate indifference to the serious medical needs of Mr. Banks by failing to provide necessary and appropriate medical care and treatment for Mr. Banks, resulting in bodily injury to Mr. Banks, and thereby willfully deprived Mr. Banks of his constitutional right not to be deprived of liberty without due process of law,

which includes the right to receive necessary and appropriate medical care and treatment while in official custody.

In his plea allocution, YOKEMICK admitted that he threw his police radio at Banks, hitting him in the head area, and that, after doing so, he failed to inform his sergeant at the scene of the fact that he had thrown the radio at Kenneth Banks.

Mr. Banks was pronounced brain dead within hours of his arrest and died on November 10, 1998, after he was taken off of life support.

Count Three of the Indictment charged that YOKEMICK also violated the civil rights of another individual, John Richardson, during a separate incident on April 26, 2002, in Yorktown Heights, New York. Pursuant to the terms of his plea agreement with the Government, YOKEMICK, although not entering a plea of guilty to this count, admitted that he wilfully assaulted Mr. Richardson after identifying himself as a police officer, thereby violating Mr. Richardson's civil rights.

YOKEMICK will be sentenced by Judge VICTOR MARRERO on November 12, 2004. YOKEMICK faces a maximum of 10 years' imprisonment on each of Counts One and Two of the Indictment.

Mr. KELLEY praised the Federal Bureau of Investigation for its investigation of this case.

Assistant United States Attorneys SHARON L. MCCARTHY and ANDREW W. SCHILLING are in charge of the prosecution.

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